

(I) TO AVOID THE SERVICE OF A SUBPOENA OR SUMMONS TO TESTIFY;

(II) TO BE ABSENT FROM AN OFFICIAL PROCEEDING TO WHICH THE VICTIM OR WITNESS HAS BEEN SUBPOENAED OR SUMMONED; OR

(III) NOT TO REPORT THE EXISTENCE OF FACTS RELATING TO A CRIME OR DELINQUENT ACT.

[(b)] (C) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) IF THE TESTIMONY, SUBPOENA, OFFICIAL PROCEEDING, OR REPORT INVOLVING THE VICTIM OR WITNESS RELATES TO A ~~FELONY, INCLUDING AN ATTEMPT, CONSPIRACY, OR SOLICITATION TO COMMIT A FELONY~~ FELONIOUS VIOLATION OF TITLE 5 OF THIS ARTICLE OR THE COMMISSION OF A CRIME OF VIOLENCE AS DEFINED IN § 14-101 OF THIS ARTICLE, OR A CONSPIRACY OR SOLICITATION TO COMMIT SUCH A CRIME, A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS SUBJECT TO IMPRISONMENT NOT EXCEEDING 20 YEARS.

(D) A SENTENCE IMPOSED UNDER THIS SECTION MAY BE SEPARATE FROM AND CONSECUTIVE TO OR CONCURRENT WITH A SENTENCE FOR ANY CRIME BASED ON THE ACT ESTABLISHING THE VIOLATION OF THIS SECTION.

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(a) A person may not intentionally harm another, THREATEN TO HARM ANOTHER, or damage or destroy property with the intent of retaliating against a victim or witness for:

- (1) giving testimony in an official proceeding; or
- (2) reporting a crime or delinquent act.

(B) A PERSON MAY NOT SOLICIT ANOTHER PERSON TO INTENTIONALLY HARM ANOTHER, THREATEN TO HARM ANOTHER, OR DAMAGE OR DESTROY PROPERTY WITH THE INTENT OF RETALIATING AGAINST A VICTIM OR WITNESS FOR:

- (1) GIVING TESTIMONY IN AN OFFICIAL PROCEEDING; OR
- (2) REPORTING A CRIME OR DELINQUENT ACT.

[(b)] (C) (1) [A] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, A person who violates this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years OR A FINE NOT EXCEEDING \$5,000 OR BOTH.

(2) IF THE OFFICIAL PROCEEDING OR REPORT DESCRIBED IN SUBSECTION (A) OF THIS SECTION RELATES TO A ~~FELONY OR A DELINQUENT ACT BASED ON A FELONY, INCLUDING AN ATTEMPT, CONSPIRACY, OR SOLICITATION TO~~